

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

APRIL KIMBLE,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO.:
	)	1:19-cv-02549-LMM-JSA
v.	)	
	)	JURY TRIAL DEMANDED
QUALITY ASSIST INC., and	)	
TRACEY BANKHEAD,	)	
	)	
Defendants.	)	

**CONSENT MOTION AND MEMORANDUM  
IN SUPPORT TO EXTEND THE DEADLINE FOR  
PLAINTIFF’S RESPONSE TO DEFENDANTS’  
MOTION TO DISMISS AND REQUEST TO EXTEND  
THE PRE-DISCOVERY DEADLINES UNTIL AFTER  
THE COURT RULES ON DEFENDANTS’ MOTION**

COMES NOW, Plaintiff April Kimble, and respectfully requests to extend the deadline for filing her response to Defendants’ Motion to Dismiss and Request to Extend the Pre-Discovery Deadlines until after the Court Rules on Defendants’ Motion, showing the Court as follows:

1. On June 3, 2019, Plaintiff filed her Complaint against the above-named Defendants for violations of Title VII and Section 1981. (Doc. 1).
2. On August 5, 2019, Defendants filed a Motion to Dismiss Plaintiff’s Complaint. (Docs. 6 & 6-1).

3. Plaintiff's response is due August 19, 2019.
4. Plaintiff needs an extension to respond to Defendants' Motion for the following reasons: both of Plaintiff's attorneys have briefs due to the Eleventh Circuit; Annual conferences and CLEs; doctor appointments and surgeries; depositions in other matters and other prior commitments.
5. Since Defendants are asking the Court to dismiss Plaintiff's claims in their entirety, Plaintiff needs the extra time to sufficiently respond and amend the Complaint, so she does not risk having her entire case dismissed.
6. As such, Plaintiff respectfully requests an extension up to and including September 6, 2019 in order to file her response to Defendants' Motion to Dismiss.
7. In addition, since the parties do not know yet how the Court will rule on Defendants' Motion, the filing of a Joint Preliminary Report and Discovery Plan (JPR) and the filing of Initial Disclosures will be premature.
8. As such, we respectfully request for the filing deadlines for the JPR and Initial Disclosures to also be extended until after the Court rules on the Motion.
9. Defendants consent to Plaintiff's request.
10. This request is not made for an improper purpose or for delay, and neither party will be prejudiced by the extension.

WHEREFORE, for good cause shown, Plaintiff respectfully requests that the Court grant an additional extension, up to and including September 6, 2019, in order for her to respond to Defendants' Motion to Dismiss. A proposed order is attached for the Court's convenience.

Respectfully submitted, this 16<sup>th</sup> day of August, 2019.

/s/ Meredith J. Carter  
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**CONSENTED TO BY:**

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COUNSEL FOR PLAINTIFF

COUNSEL FOR DEFENDANT

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**ORDER**

For GOOD CAUSE shown, the Consent Motion to Extend the Deadline for Plaintiff's Response to Defendants' Motion to Dismiss is GRANTED. Plaintiff shall have up to and including September 6, 2019 to file her response. All pre-discovery deadlines will be extended accordingly after the Court rules on Defendants' Motion.

This \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Justin S. Anand  
Magistrate Judge, United States District Court

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**CERTIFICATE OF FONT COMPLIANCE**  
**REQUIRED BY LOCAL RULE 7.1D AND SERVICE**

In accordance with Local Rule 7.1D, I hereby certify that the foregoing was prepared with one of the font and point selections approved by the Court in Local Rule 5.1B. Specifically, it was prepared with Times New Roman, 14 point.

I further certify that I electronically filed the foregoing CONSENT MOTION TO EXTEND THE DEADLINE FOR PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS with the Clerk of Court using the CM/ECF system which will automatically send email or other notification of such filing to the following attorney of record:

Robert C.D. McDonald  
rmcdonaldlaw@ceocenters.com

This 16<sup>th</sup> day of August, 2019.

/s/ Meredith J. Carter  
Meredith J. Carter  
Georgia Bar No. 325422